Cecchi (Del.) 80 Atl. 523, 35 L. R. A. (N.S.) 699. The cases taking the opposite view hold that the occupants of the machine are trespassers, and can recover only when the injury is the result of recklessness or wantonness. *Dudley* v. *Northampton St. Ry. Co.*, 202 Mass. 443, 89 N. E. 25, 23 L. R. A. (N. S.) 561.

BANKRUPTCY—PREFERENCES—DUTY TO MAKE INQUIRY.—A partnership of which the bankrupt was a member was indebted to a bank in the sum of $19,117.99, secured by government bonds and personal property of the bankrupt amounting to $6,000. The bank refused to extend credit, and the bankrupt applied to the bank's president individually for a loan. A loan of $12,000 was given, and the bankrupt gave real estate as security. The proceeds of the mortgage were placed to the credit of the partnership and checked out to liquidate the partnership's debt to the bank. *Held*, that where a creditor of an insolvent takes security within four months prior to bankruptcy, he is bound to make inquiry as to whether a preference is intended, and is chargeable with knowledge of all that such inquiry, if made, would have disclosed. *Walters* v. *Zimmerman et al.*, (D. C. N. D. Ohio, 1913) 208 Fed. 62.

The rule as thus laid down is too broad, and is not applicable to the facts in the principal case. A mere suspicion of insolvency is not sufficient to put a creditor upon inquiry as to the insolvency of his debtor. *In re Eggert*, 102 Fed. 735; *Crooks* v. *People's Bank*, 72 N. Y. App. 331, 3 Am. B. R. 238. The creditor must have knowledge of such facts as would put a reasonable man on inquiry as to the solvency of his debtor. And where such inquiry, pursued to its legitimate conclusion, would disclose insolvency, such creditor has reasonable cause to believe his debtor insolvent. *Hackney* v. *Raymond*, 68 Neb. 624 10 Am. B. R. 213; *Bardes* v. *Bank*, 122 Ia. 443. On the whole, reasonable cause is a question of fact to be determined under all the circumstances of the case. *Crittenden* v. *Barton*, 59 App. Div. (N. Y.) 555, 5 Am. B. R. 775.

BANKRUPTCY—PROPERTY PASSING TO TRUSTEE—MEDICAL PRACTICE.—An order in bankruptcy had been made directing the trustees to sell (among other things) "the medical and surgical practice and good will of said bankrupt, together with the leasehold interest of said bankrupt in and to the office formerly occupied by Dr. S. Lewin, and now occupied by said bankrupt as a doctor's and surgeon's office." *Held*, that the personal medical and surgical practice and good will of a bankrupt as a physician, are not subject to sale by his trustee, although his property interest in a practice and good will purchased from another may be sold. *In re Myers*, (C. C. A. 7th Cir. 1913) 208 Fed. 407.

This is in accord with the previous decisions. All kinds of property of a bankrupt, save such as is exempt, pass to the trustee in bankruptcy, as do likewise certain powers and rights and documents. BANKRUPTCY ACT, § 70a. The test is, could the property have been transferred by or levied upon and sold under judicial process against the bankrupt? *In re Burka*, 104 Fed. 326. Thus uncompleted contracts for personal services, or for the exercise of skill, wherein personal trust and confidence are reposed, or reliance had upon special skill, do not pass to the trustee, for such property is not transferable nor can it be